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[p. 3] sentencing I determined that the statute of limitations, insofar as it applied to the proceeds from the sale of the 112 Matamoros Drive property, which is incorporated into the bankruptcy fraud of Count I, occurred more than five years earlier, so that it is outside the scope of the five-year statute of limitations.

Mr. Yost was sentenced on the basis of the proceeds of the 112 Matamoros Drive property being the substantiating basis for the conspiracy to commit money laundering in Count I, which means his sentence has to be completely revisited and set aside. So, accordingly, I'm setting aside the sentence I have previously imposed on March 24th, which has not yet become final, both under Rule 35(c) and under the fact that no J and C has been entered, it was expressly retained under this court's jurisdiction to revisit the statute of limitations issue previously identified.

So I'm setting aside that sentence. But let me also advise counsel that at this time I'm also gonna revisit the application of *United States v. Mueller* to this case, because I think there are matters that perhaps need to be amplified further with respect to the facts of this case vis-a-vis the Eleventh Circuit's rationale in the *Mueller* decision.

So with that, I think you need to be prepared for me to apply the conspiracy to commit bank fraud in this case as

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